

Victim Impact Statement Eileen Culleton read out at Supreme Court 28022022

My name is Eileen Culleton and I am the youngest sister of Anne-Marie Culleton who at 20 years old on 23 February 1988 was raped and murdered by Jonathan Bakewell after he broke into her flat in the middle of the night in Darwin.

My Victim Impact Statement is written from the perspective of 34 years lived experience of the impacts of the whole spectrum of judicial, legislative and political decisions in relation to this crime.

I have experienced justice being done, with my sister's rapist murderer Jonathan Bakewell being sentenced to life with no parole in 1989 and then justice being ripped away with the NT law change in 2004 which saw Bakewell's life sentence reduced to just 20 years non parole.

I have also experienced the distress and feelings of injustice resulting from Bakewell's appeals all the way to the High Court of Australia to have his revised sentence reduced from the minimum of 25 years non parole for murder with sexual assault to just 20 years non parole.

I have experienced the trauma of Bakewell's release on parole in 2016 and the re-traumatisation due to his numerous parole breaches for drug taking – the same drugs he took the night he raped and murdered my sister.

I have experienced the trauma of having to go public for the first time after 31 years of silence, with a media campaign fighting to have Bakewell's parole cancelled due to his breaches. And the stress of this two and a half year campaign which I fought in order to keep women in the community safe.

The focus of this victim impact statement is to share the impact of not just the crime itself but also the impact of Bakewell's parole release, and his numerous breaches and the impact of his application to have a new non parole period set after his parole was finally cancelled 4 months ago.

I am doing this because I believe Bakewell remains a danger to the community and for this reason I am asking for his application for a new non parole period to be set to be refused and for him to serve out the rest of his life sentence behind bars.

It is important to state from the outset that I did not make a submission to the Parole Board to object to Bakewell's parole release in 2016 because I believed I would have little chance of success due to the recent law change disbanding the Executive Council which previously vetoed the Parole Board decisions to grant parole to Bakewell.

As a result of this reality and my renewed onset of Post Traumatic Stress Disorder (PTSD) as a result of Bakewell's pending release, I sought to find peace and a new beginning for both parties by writing a letter of forgiveness for the impact of his crimes on me, and in which I wished Bakewell the very best for a new future.

It took me five months of counselling to be able to do this, but by the time I wrote the letter of forgiveness I meant every word.

It is important to emphasise that in my letter I was very clear that my forgiveness was not for the crime of raping and murdering Anne-Marie but for the impact of the crime on me personally. I did not in any way excuse him for the crime or renounce the need for justice. In fact in my letter I made it very clear that I believed justice meant that he should serve his original whole life sentence in prison.

In my letter I didn't just extend forgiveness to Bakewell, I actually wished him and I quote "the very best for a future of peace, love, hope, purpose and joy."

I even agreed to receive a letter back from Bakewell.

It was as a result of his letter of apology, followed by his repeated parole breaches, that I developed grave concerns about Bakewell's sincerity, credibility and motivations.

After receiving the trial transcripts and also the Voir Dire appeal to prevent his video confession being admitted to trial, I was concerned by the number of statements in his letter that did not align with the court documents. I outlined these concerns in my 2019 submission to the Parole Board calling for Bakewell's parole to be cancelled.

What particularly impacted me was what I believe to be an attempt to by Bakewell to manipulate our family for financial gain, when he shared his "dream" to open a foundation under Anne-Marie Culleton's name. The basis of the foundation would be a prisoner art prize and the aim would be to lower the crime rate against women and children.

Initially I thought it was a sincere idea demonstrating remorse and wanting to do something positive to atone for his crime. However, after reading the trial transcripts I came to form the opinion that the premise was based on a falsehood. In his letter Bakewell intimated he discovered his ability to draw while in prison as a result of a 'vision' he had of Anne-Marie in his cell, who he said he would constantly 'talk' to.

The trial transcripts documented that Bakewell was already drawing prior to murdering Anne-Marie. He had used his portrait drawing talent to ask businesses in Darwin to give him or lend him money for the purpose of buying artist supplies. Whereas the transcripts documented that he used the money to buy drugs and alcohol.

Reflecting on this information, and other information in his letter, I then formed the belief that Bakewell's purpose of his apology letter in response to my forgiveness letter was to emotionally manipulate Anne-Marie's family to agree for him to start a foundation in her name in order for him to get money, exoneration, fame and glory.

As a result I felt duped, manipulated, foolish, horrified, angry and outraged and fearful.

I believe Bakewell is an extremely callous, remorseless individual. In my view this makes Bakewell just as dangerous as the day he raped and murdered Anne-Marie and this strengthened my resolve to fight to protect women in the community by fighting to have his parole cancelled.

It must be noted that I did not campaign for his parole to be cancelled until he had already breached parole a number of times and it was then that I accessed the trial transcripts.

In regard to the impact of the crime on me, because I was only 19 at the time, and Anne-Marie and I were so close in age, only a year apart, her rape and murder at age 20 was a traumatic event that changed my life forever. We were close as we shared a bedroom until we left home. Anne-Marie was a really sweet girl. She loved animals. When she was younger she kept rabbits.

The last time I saw Anne-Marie was at my 19th Birthday. She was 20. She was beautiful and glowing. Three weeks earlier she had moved out of home into a flat and had found her wings of independence. She had a job, a car and hopes and dreams that she was excited about.

I remember Anne Marie was a talented, budding artist who loved beauty and painting nature scenes. She had dreams to travel. Greece was the top of her list. She loved classical music. Anne-Marie was a beautiful, talented young woman with a bright future ahead of her. With dreams she never got to realise.

I feel so angry that her life was cut short, and that she didn't reach her full potential.

Anne-Marie was a person of strong faith with a strong social conscience. The main thing Anne-Marie's friends tell me is how kind she was to people. She volunteered at the Community College helping migrant Greek women learn English. She also got her First Aid Certificate so she could help save lives in emergencies.

Two weeks after my 19th birthday, while interstate at university, I received the phone call that changed my life forever. I vividly remember the moment that I was told Anne-Marie was dead. Mum and my elder sister Rita had found her body in her flat.

I was prevented from being able to say goodbye to Anne-Marie because she was too decomposed. Bakewell had washed her body in a scalding hot shower and wedged her body face down so that it remained immersed in scalding hot water with the shower running. These actions, together with the high humidity in the closed bathroom served to initially conceal the murder method by advancing body decomposition. I am still haunted by these facts today.

I had to say goodbye to her in a cold, closed coffin, which deeply upset me and has added to my trauma and I have struggled with complicated grief. I remember I would have dreams that she was alive but then wake up to the devastating reality. I felt desperately hopeless.

I remember that our family was so traumatised and devastated that we were unable to deliver a eulogy at her funeral.

As a result of Annemarie's rape and murder I lost my sense of personal security and safety. Knowing that Bakewell broke down Anne-Marie's locked back door in the middle of the night to rape and murder her in her bed is every woman's worst nightmare. It became my living nightmare and I suffered from post-traumatic stress. I felt constantly vulnerable at night and when my trauma was triggered I was afraid to go to sleep. I remember in the years after her murder I felt extremely scared and vulnerable. I felt anxious if I was at home alone, even during the day. I suffered nightmares and would often try to stay awake until dawn - then I would feel safe enough to sleep for a few hours.

After Bakewell's parole release and repeated breaches and my campaign to have Bakewell's parole cancelled, I put in a security door on my back door in my rental property to help me feel safe. Anne-Marie's home did not have a security door and I continually wonder whether this would have prevented Bakewell breaking into her home and murdering her.

After the criminal trial, I did my best to rebuild my life. I pushed through by implementing a number of avoidance behaviours including moving interstate. I felt saddened that I could not return to my home town because when I did I was overcome with memories that were too painful to face. My mother had moved to an outlying suburb and staying with her meant driving past the prison creating a painful and chilling reminder. Words cannot describe the anguish I felt to witness my mother's grief and ongoing heartbreak at losing her daughter so young and in such a horrific way.

I moved to Western Australia to create a new life where, apart from one close friend, no one knew what my family had suffered. I purposefully isolated myself from family and friends in a desperate attempt at self-preservation. I kept my sister's rape and murder a secret. It became my burden and I felt it was unfair to inflict fear on my young female friends. I wanted them to sleep peacefully at night in their beds.

Keeping my sister's rape and murder a secret meant that I felt I could never talk about Anne-Marie. When people asked about family, I'd have to bend the truth and say I only have two sisters. I felt I

was betraying her, but the reality of having to tell people the horrors that my family had suffered because of the offender was too much.

I turned anxiety, fear, grief and trauma into a drive that allowed me to help and empower others. I finished my university degree and worked at a senior level for a number of high profile charities, to help people impacted by heart disease, breast cancer and youth suicide. I then worked in the private sector and government, providing strategic and communications advice.

After the 2011 Queensland floods which resulted in significant loss of life, I founded a charity providing an online information hub to help communities locally and globally to use social media to save lives in disaster. I was sponsored by the federal Attorney General's Department to present at a United Nations conference in Switzerland, making recommendations to UN policy makers.

I was at the height of my career when, in 2015, my life was shattered because I was made aware that Bakewell was due to be released on parole. The veracity of the PTSD symptoms I experienced were debilitating. I struggled to sleep at night and the nightmares came back with a vengeance.

The nature of Anne-Marie's rape and murder will always cause me great anguish. It tortures me to think about the terror, cruelty, degradation and suffering that my sister endured at her death.

However, the continual breaches of parole and repeated chances the judicial system has given Bakewell fuels a different kind of re-traumatisation. Each time he is released on parole I am trapped in a vortex of trauma, anger and fear for the community.

Due to the increasing severity of my complex post-traumatic stress disorder with each parole breach, I recently decided to take prescribed medication.

I resent the fact that this crime and Bakewell's parole and continued breaches continues to impact every aspect of my life. I resigned from my role as CEO of the charity I founded and I was forced to cut back on clients for my business consultancy. I'm now on the Disability Support Pension. I find this to be a great source of shame due to the social stigma. While I find it painful to talk about publicly, I have chosen to do so today as it shows the ongoing, significant physical, emotional and financial impact this crime has, and continues to have, as a result of Bakewell's parole release and repeated parole breaches, on my life.

I feel I have limited social relationships and I suffer from social anxiety, am hyper vigilant and feel extremely uncomfortable in crowded places. I grapple with intense fear that he will commit another horrific crime in the community.

I am alarmed that Bakewell has breached parole by taking drugs on 6 occasions, the same drugs he took the night he raped and murdered my sister. This fuels my fear for community safety and now my safety as a result of my public campaign to have his parole cancelled. I am aware that Bakewell has historical offences of breaching parole in which he crossed interstate borders in an attempt to evade authorities and that he breached parole in SA when travelled to the NT where raped and murdered my sister. I am also aware he used fake names in his escape which add to my fears.

I am concerned that these multiple breaches demonstrate a refusal to follow the rules of parole, and of society in general. My fears about Bakewell have escalated with each parole breach.

As stated earlier, I have recently gained access to and read the murder trial transcripts and I found it galling to read how the rape and murder was characterised in 1989 as a crime of lust and loss of control. It is well documented today that rape has nothing to do with desire or sexual attraction or loss of control. It is a hate crime enacted to terrorise, torture and degrade the victim and is about

the offender exerting power, control and dominance over their victim. Rape and murder is an intentional gender hate crime of the most heinous kind and I feel horrified that my sister fell victim to such a brutal crime at Bakewell's hands.

Since I began publicly campaigning for Bakewell's parole to be cancelled, I have been contacted by community members who express concern for community safety. It upsets me to know that people in his local area are feeling fear.

During the day I am constantly on edge now also. This was made worse by the fact that I was not allowed a photo of what Bakewell looks like now, which I believe is appalling. I believe murder victim families and the community should have a right to know what the murderer looks like when they are paroled so they can be forewarned.

Since Bakewell's parole was cancelled in October last year, the nightmares have reduced. But they haven't stopped because I have been aware that this day would come and he would ask for his freedom again.

The anniversary of Anne-Marie's death was last Wednesday 23 February. Words cannot describe how hard these days are for me. I am grateful that I have been given the opportunity to write this victim impact statement and I hope that my plea to refuse to grant a non parole period to Bakewell is heeded.